

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MARK A. ZWARTYNSKI and	§	
MARITTA ZWARTYNSKI,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
V.	§	CASE NO. 4:13cv12
	§	Judge Clark/Judge Mazzant
JPMORGAN CHASE BANK,	§	
NATIONAL ASSOCIATION	§	
SUCCESSOR BY MERGER TO	§	
CHASE HOME FINANCE, LLC,	§	
	§	
<i>Defendant.</i>	§	

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 26, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss for Failure to State a Claim [Doc. #5] be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss for Failure to State a Claim [Doc. #5] is **GRANTED**, and plaintiffs' case is DISMISSED with prejudice.

All relief not previously granted is hereby **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

So **ORDERED** and **SIGNED** this **22** day of **March, 2013**.



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Ron Clark, United States District Judge